



RCE/600

PTO/SB/30 (10/2001)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/037,657
Filing Date	March 10, 1998
First Named Inventor	Douglas J. Eubank, et al.
Art Unit	1646
Examiner Name	F. Hamud
Attorney Docket Number	10857Z

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995.

1. **Submission required under 37 CFR §1.114**

06/07/2002 AWDNAF1 00000111 09037657

01 FC:179

740.00 OP

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other

Preliminary Amendment and Exhibit A & Transmittal

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1013/SSMP

i. ☒ RCE fee required under 37 CFR §1.17(e)

ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17) (Petition for 1 mo. Ext of Time attached)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 740.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Frank S. DiGiglio	Registration No. (Attorney / Agent)	31,346
Signature		Date	May 28, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)	Michelle Mustafa	Date	May 28, 2002
Signature			

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PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Douglas J. Hilton, et al.

**Examiner:** F. Hamud

**Serial No:** 09/037,657

**Art Unit:** 1646

**Filed:** March 10, 1998

**Docket:** 10857z

**For:** A NOVEL HAEMOPOIETIN RECEPTOR  
AND GENETIC SEQUENCES ENCODING  
SAME

**Date:** May 28, 2002

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

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**PRELIMINARY AMENDMENT**

Sir:

In response to the Final Action dated August 28, 2001, and in connection with the filing of the Request for Continued Examination, kindly enter the following preliminary amendment in the above-identified case.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 28, 2002.

Dated: May 28, 2002

  
Michelle Mustafa